

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF PENNSYLVANIA

UNITED STATES OF AMERICA	:	
	:	
v.	:	No. 5:19-cr-00551
	:	No. 5:23-cv-00586
LUIS GOMEZ,	:	
Defendant	:	

ORDER

AND NOW, this 21st day of May, 2025, for the reasons set forth in the Opinion issued this date, **IT IS ORDERED THAT:**

1. The Motion to Vacate Sentence, ECF No. 103, is **DENIED in part and GRANTED in part**.
2. The Amended Motion to Vacate Sentence, ECF No. 121, is **DENIED in part, GRANTED in part, and DISMISSED in part**.
3. The motion and amended motion are **GRANTED** with respect to Gomez's claims that counsel was ineffective for failing to consult with him regarding his direct appeal.
4. The motion and amended motion are otherwise **DENIED** and **DISMISSED**.
5. Defendant is granted leave to file a notice of appeal from his conviction and sentence *nunc pro tunc* **within fourteen (14) days of the date of this Order**. Consistent with the Order dated July 14, 2023, appointing Margaret M. Grasso, Esquire "to represent Gomez in all further proceedings," *see* ECF No. 113, Attorney Grasso is directed to file a notice of appeal on behalf of Gomez to ensure that his appellate rights are preserved.¹
6. A certificate of appealability is **DENIED**.
7. The Clerk of Court shall **CLOSE** the above-captioned actions.

BY THE COURT:

/s/ Joseph F. Leeson, Jr.
JOSEPH F. LEESON, JR.
United States District Judge

¹ Thereafter, the Court will entertain any motion for appointment of counsel on appeal or to withdraw.